

ENTERED

August 11, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JAMEL PARKER,	§	CIVIL ACTION NO.
Plaintiff,	§	4:18-cv-03334
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
SOUTHWEST	§	
AIRLINES CO,	§	
Defendants.	§	

MINUTE ENTRY AND ORDER

Minutes for docket call.

Counsel for Plaintiff Jamel Parker and Defendant Southwest Airlines Co appeared in person.

The Court addressed Special Order H-2021-16, which continued all jury trials scheduled between August 5, 2021 and September 7, 2021.

The jury selection scheduled for August 11, 2021 and the jury trial set to begin on August 16, 2021 are CANCELLED. Dkt 26. The Court will schedule a subsequent docket call and address jury selection and trial dates at that time.

The Court heard argument on the motion *in limine* by Parker. Dkt 31. For reasons stated on the record, item I was granted; items II(B) and II(C) were denied; and ruling was reserved on item II(A).

The Court also heard argument on the motion *in limine* by Southwest Airlines. Dkt 35. Items 10, 12, 14, 17–21, 23–24, and 27–30 were withdrawn as fairly duplicative of items in the Court’s standard order. For reasons stated on the record, items 1–4, 7, 13, and 15 were granted; item 16 was granted as modified; items 26, 31, and 32 were denied; and ruling was reserved ruling on items

5, 6, 8, 11, 22, and 25. The parties were ordered to confer and propose a narrowed resolution of items 9, 22

The parties were ordered to file a joint draft *limine* order fourteen days in advance of the next docket call to include the Court's standard items with all other agreed items.

The parties were further ordered to file a joint proposed jury charge fourteen days in advance of the next docket call, once set. Refer to the Court's Procedures for details in this regard. The Court observed that the parties' disputes about mitigation of damages and lost wages will be addressed with resolution of the charge.

Southwest Airlines was ordered to file a motion to exclude evidence or motion for summary judgment regarding certain comparators upon whom Parker relies to establish his *prima facie* case. The motion must be filed by September 20, 2021 and isn't to exceed twelve pages. Parker must file a response not to exceed twelve pages within twenty-one days of the motion, and Southwest Airlines may file a reply not to exceed six pages within ten days of the response.

Parker was ordered to file a motion to exclude evidence regarding the arbitration proceeding in which he participated prior to this action. The motion must be filed by September 20, 2021 and isn't to exceed ten pages. Southwest Airlines must file a response not to exceed ten pages within twenty-one days of the motion, and Parker may file a reply not to exceed five pages within ten days of the response.

Parker indicated his intention to address the relative financial position of the parties at trial. To the extent that Parker seeks further discovery in this regard, he must comply with Section 15 of this Court's procedures. And if Parker chooses to seek such discovery, Southwest Airlines will be allowed to seek any discovery necessary to respond.

Ruling was held in abeyance on objections to Parker's exhibits, witnesses, and proposed jury charge in abeyance. Dkts 30-1, 30-2, 30-4, 39, 40, 41.

SO ORDERED.

Signed on August 11, 2021, at Houston, Texas.

A handwritten signature in black ink, reading "Ch R Eskridge II". The signature is written in a cursive, stylized font. The "Ch" is connected to "R", which is connected to "Eskridge". There are two vertical strokes at the end, representing "II".

Hon. Charles Eskridge
United States District Judge